

REMARKS/ARGUMENTS

Claims 1-4 are pending in the present application.

This Amendment is in response to the Office Action mailed 6-23-2009. In the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. §101; and claims 1-4 under 35 U.S.C. §102(b). Applicant has canceled claim 2 and amended claims 1 and 3. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicant respectfully disagrees.

As delineated in amended claims 1 and 3 and claim 4, the interface standard model includes a data processor. Given that the processor is a hardware component, the system is not software per se.

Additionally, the Examiner points to the specification page 12, 3rd paragraph, which recites: "As above-mentioned, the method of the present invention can be embodied as a program and stored in recording media... readable by a computer" to show that claims 1-4 are software. Applicant respectfully disagrees and submits that claims 1, 3 and 4 are directed to a system and not a method. Accordingly, the language in the specification referring to a method is not admission that the claims 1, 3, and 4 are software.

Moreover, as discussed above, the system as delineated in claims 1, 3 and 4 include hardware such as, for example, the data processor.

Thus, Applicant submits that claims 1, 3 and 4 are directed to statutory subject matter such that the rejection under §101 should be withdrawn.

Rejection Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,127,970 issued to Lin ("Lin"). Applicant respectfully traverses the rejection and submits that the Examiner has not met the burden of establishing a *prima facie* case of anticipation.

Lin does not disclose, either expressly or inherently, at least, (1) a satellite subsystem standard model for simulating operations of physical satellite subsystems; and (2) an interface standard model for converting data transmitted from the satellite subsystem standard model and the flight software module, as recited in independent claim 1.

The Examiner alleges that the integrated GPS/INS system 30, the 6DOF trajectory generator 10 and the Real time GPS/IMU emulator 20 correspond to “a satellite subsystem standard model,” “a flight software module,” and “an interface standard model,” respectively (Office Action, page 3-4). Applicant respectfully disagrees for the following reasons.

First, Lin merely discloses a coupled real-time GPS/IMU emulation method for positioning and location system wherein IMU measurement models and IMU error models are input into the coupled real time GPS/IMU emulation device 20 according to a real IMU device 32. The real IMU device 32 is used in the integrated GPS/INS system 30 to be tested. The IMU measurement models comprise a gyro measurement model and accelerometer measurement model (Lin, col. 6, lines 49-62; Figure 1). The integrated GPS/INS system 30 is injected with simulated GPS measurements and IMU simulated electronic signals (Lin, col. 7, lines 22-27; Figure 1).

In contrast, the claim recites “a satellite subsystem standard model for simulating operations of physical satellite subsystems.” *Emphasis Added*. There is no teaching that the integrated GPS/INS system 30 simulates operations of physical satellites subsystems. Instead, using the received simulated GPS measurements and IMU simulated electronic signals, the position and location of the integrated GPS/INS system 30 is determined.

Thus, the integrated GPS/INS system 30 cannot correspond to the satellite subsystem standard model.

Second, Lin merely discloses that a real time trajectory data is produced from the 6DOF trajectory generator 10 and is sent to the coupled real time GPS/IMU emulation system 20. The coupled real time GPS/IMU emulation system 20 produces dynamic real GPS measurements and IMU signal which are formatted and processed to produce simulated GPS measurements and IMU simulated electronic signal which are in turn injected into the integrated GPS/INS system 30 (Lin, col. 6, line 63 to col. 7, line 25; Figure 1).

In contrast, the claim recites “an interface standard model for converting data transmitted from the satellite subsystem standard model and the flight software module.” *Emphasis Added*. Given that the coupled real time GPS/IMU emulation system 20 provides GPS measurements and IMU signals to the integrated GPS/INS system 30, which the Examiner alleges to be “the satellite subsystem standard model,” the coupled real time GPS/IMU emulation system 20 does not convert “data transmitted from the satellite subsystem standard model.”

Accordingly, the coupled real time GPS/IMU emulation system 20 cannot correspond to the interface standard model, as delineated in the claim.

Third, independent claim 1 has been amended to further recite “the interface standard model includes data processing information and data link information,” and “the data processing information and the data link information are modified when the satellite subsystems standard model is changed.” As discussed above, the coupled real time GPS/IMU emulation system 20, cannot be the interface standard model and the integrated GPS/INS system 30 cannot be the satellite subsystems standard model. Even assuming coupled real time GPS/IMU emulation system 20 is the same as the interface standard model, there is no teaching of that the coupled real time GPS/IMU emulation system 20 includes data processing information and data link information.

To anticipate a claim, the reference must teach every element of a claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the...claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989). Since the Examiner failed to show that Lin teaches or discloses any one of the above elements, the rejection under 35 U.S.C. §102 is improper.

Therefore, Applicant believes that independent claim 1 and dependent claims 3 and 4 are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §102(b) be withdrawn.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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